

CERTIFICATE OF MAILING

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Name (Print/Type)

Wilhelm Albert Palmen Jr.

Signature

Date

06-28-2001

**Combined
Transmittal and Fee Calculation Sheet**

Small Entity



Large Entity

Application Number

09/341,505

Confirmation Number

5221

Filing Date

July 12, 1999

First Named Inventor

Jackson et al.

Examiner

Robinson, H.

Group Art

1653

Attorney Docket No.

MEWE005

ENCLOSED:

Claims

No. of claims as
filed or after
amendmentMost claims
previously
paid for

Extra Claims

Rate

Totals

Total

\$ -

Independent

\$ -

Multiple

Total Extra Claim Fees

\$ -



Extension of time from

to

Fee



Amendment Under Rule 1.111 (12 pages)



Executed Declaration

Pages

3



Other

Clean Version of the Replacement Specification

Marked-Up Version of the Replacement Specification

Exhibit A - Frank et al. (12 NOV. 1998), Nature, Vol. 396:173-177.

Exhibit B - Grawunder et al. (OCT 1998), Molecular Cell, Vol. 2:477-484.

Exhibit C - Riballo et al. (21 JUNE 1999), Current Biology, Vol. 9:699-702

Subtotal \$ -



Information Disclosure Statement



PTO Form 1449

Pages



Copies of Cited References



Other

Fee

Subtotal \$0.00



Response to Notice to Comply (with copy of Notice to Comply)



Sequence Listing Certification



Paper Copy of Sequence Listing

Pages

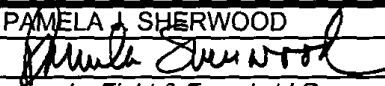


Diskette in computer-readable format

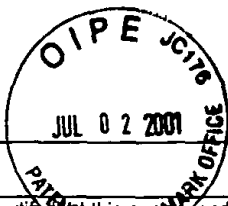


Other

Fee

<input type="checkbox"/> Terminal Disclaimer		Fee	
<input type="checkbox"/> Appeal to Board of Appeals and Appeal Communication to Group			
<input type="checkbox"/> Notice of Appeal	Pages		Fee
<input type="checkbox"/> Appeal Brief in Triplicate	Pages		Fee
<input type="checkbox"/> Reply Brief	Pages		Fee
Subtotal			\$ -
<input type="checkbox"/> Issue Fee PTO 85B		Fee	
<input type="checkbox"/> Advance copies		Fee	
<input type="checkbox"/> Submission of Formal Drawings Transmittal with		_____ sheets enclosed	
Subtotal			\$ -
<input type="checkbox"/> Other Enclosures and/or Fees		Fee	
<input type="checkbox"/> Change of Correspondence Address			
<input checked="" type="checkbox"/> Return Receipt Postcard		TOTAL FEES \$ -	
<p>The Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 50-0815. If additional fees are required, including extensions of time, please consider this a petition therefore. A duplicate copy of this transmittal is enclosed.</p>			
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED			
Name (Print/Type)	PAMELA J. SHERWOOD		Registration No. 36,677
Signature			Date 06-28-2001
Firm Name	Bozicevic, Field & Francis LLP	Address	200 Middlefield Road, Suite 200
City	Menlo Park	State	California zip 94025
Telephone - Direct Dial	650-833-7790	Facsimile	650-327-3231

Application No. 09/341,505 Attorney Docket No. MEWE005



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Typed or Printed Name	Wilhelm Albert Palmen Jr.		
Signature		Date	June 28, 2001

AMENDMENT UNDER 37 C.F.R. §1.111 Address to: Assistant Commissioner for Patents Washington, D.C. 20231	Attorney Docket	MEWE005
	Confirmation No.	5221
	First Named Inventor	Jackson et al.
	Application Number	09/341,505
	Filing Date	July 12, 1999
	Group Art Unit	1653
	Examiner Name	H. Robinson
	Title:	"ASSAYS, AGENTS, THERAPY AND DIAGNOSIS RELATING TO MODULATION OF CELLULAR DNA REPAIR ACTIVITY"

Sir:

This amendment is responsive to the Notice of Non-Compliant Amendment as set forth in the Office Action dated June 11, 2001 for which a One-Month period for response was given making this response due on or before July 11, 2001.

In view of the amendments to the specification and claims and the remarks put forth below, reconsideration and allowance are respectfully requested.

AMENDMENTS

IN THE SPECIFICATION

Please replace the complete specification in the above referenced patent application with the specification attached hereto. Pursuant to the requirements of CFR § 1.121(b)(3), applicants are submitting herewith a substitute specification in compliance with CFR § 1.125(b) and a separate marked-up version of the substitute specification, showing all changes relative to the previous version of the specification. Each are captioned accordingly. No new matter is added.

CLEAN VERSION OF CLAIMS AS AMENDED

1. (Amended) An assay method for an agent which modulates the binding between XRCC4 (XR-1 Cell Complementing 4) and DNA ligase IV, or XRCC4 and DNA-PK_{CS}/Ku (DNA-dependent Protein Kinase catalytic subunit/Ku), or XRCC4, DNA ligase IV and DNA-PK_{CS}/Ku, the method comprising the steps of:
- (i) bringing into contact a substance which comprises XRCC4 or a peptide fragment of XRCC4